

# The Media Industries and the Systemic Exclusion of Latinxs

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This paper poses that visible progress for Latinxs in the media continues to lag as a result of the media's history of systemic whiteness and discrimination, processes of deregulation that undid policies intended to increase the participation of minorities in the media, and a limited conceptualization of the Latinx audience. The country's history of segregation and discrimination, codified through the law, was also manifested in the origins of mediums such as radio and television which systematically marginalized people of color. These practices ensured that the virgin broadcast spectrum was allotted to whites, minorities were deterred from acquiring licenses and owning stations, and later from having the capital and/or skills necessary to be competitive enough to earn a license from the Federal Communications Commission (FCC).

Not until the 1960s was the media's hegemonic whiteness challenged through activism that forced systemic changes in FCC regulations and that allowed for the increased participation of Latinxs. The challenge to WLBT-TV's license led to a landmark ruling in 1966 that forced the FCC to establish public participation in license renewal hearings and granted the right to minorities to have legal standing to challenge a broadcaster's license on the ground that racially discriminatory practices violated the public's interest. Moreover, the sociopolitical landscape of the late 1960s, which witnessed violence, rebellions, and heightened militant activism, created a sense of urgency and legitimacy for media activism, the media reform movement, and broader minority civil rights. As a result of the Kerner Report and with pressure from media activists, the FCC in 1969 adopted Equal Employment Opportunity (EEO) rules, thereby changing the public interest obligations of broadcast licensees to reflect the interests of minorities or risk violating their broadcast license.

With the legal right to be heard and with EEO requirements in place, minority groups starting in the late 1960s utilized the threat of filing a petition to deny a license renewal as a way to push broadcasters to be more inclusive of minorities, both in programming and employment practices. Latinxs also engaged in other forms of media activism to force film schools, local television stations, and noncommercial funding sources to open their doors to Latinxs. As such, public and noncommercial media became a bastion for programming created by, for, and about Latinxs. Further addressing the discrimination of minorities, the FCC instituted policies in 1978 to increase minority ownership of broadcast stations through, for example, its distress sale policy and tax certificate policy. As a result, the number of minority station acquisitions increased.

Yet, processes of media deregulation and neoliberalization would undo many of these policies and programs and hinder the progress made by Latinxs in the media. For example, due to increased corporate funding, the public television system now longer

saw minority programming as a priority and thereby provided limited funding for Latinx content. The courts also abolished the Fairness Doctrine in 1987, the distress sale in 1989, and the FCC's stringent EEO rules in 1998. Broadcasters were therefore defined as competitors in a marketplace as opposed to stewards of a public resource and viewers as consumers instead of citizens. Latinx media activists, such as the National Hispanic Media Coalition, lost some of their strongest weapons in the fight for improved media representation and employment of Latinxs, and instead have had to rely on the market as the site for activism and accountability. The overturning of these policies also undid gains made in media ownership by Latinxs, resulting in limited systemic power held by this community.

Lastly, the media industries' conceptualization of Latinx audiences as primarily an immigrant, Spanish-speaking base has meant that they often see Spanish-language media as serving the needs of the Latinx community and fail to largely cater to English-language Latinx audiences. The ethnic fragmentation of Latinxs has also played into networks and studios not making this community a priority as opposed to what was perceived to be a unified African American audience. Not until the 1990s did the notion of a national, panethnic, sizeable Latinx market and audience become solidified, which meant the media industries began paying attention to this demographic later than African Americans. Additionally, Latinx content is often seen as an export product for Latin America, and not primarily as a domestic product with crossover appeal, which is the case for telenovelas and many of the Latinx-oriented series on Netflix.

Hollywood needs to understand the power of the millennial Latinx, often bilingual, audience, which is ripe to consume English-language media that reflects the Latinx, U.S.-based experience through a variety of platforms. It also needs to tap into Latinx writers to create programming that will successfully appeal to the Latinx community. As a community, we need to be more engaged in media activism, demanding that the industry represent our experiences.